

## PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. MBHB03-1070 (400/139))

IN THE APPLICATION OF:

McSwiggen *et al.*

Serial No. 10/727,780

Filed: December 3, 2003

Title INHIBITION OF GENE EXPRESSION  
USING DUPLEX FORMING  
OLIGONUCLEOTIDES

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Confirmation No.: To Be Assigned

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CORRECTION OF CLAIM FOR PRIORITY

Sir:

Applicants respectfully request that the claim for priority be added to the above-mentioned application. The priority claim is being added within 4 months of the filing date of the present application, as required under 37 C.F.R. § 1.78. It is believed that no fee is due in connection with this filing; however, if a fee is due the Commissioner is authorized to charge our deposit account number 13-1249. The claim for priority is as follows:

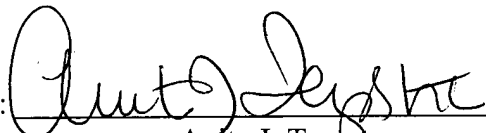
This application is a continuation-in-part of U.S. Patent Application No. 10/757,803, filed January 14, 2004, which is a continuation-in-part of U.S. Patent Application No. 10/720,448, filed November 24, 2003, which is a continuation-in-part of U.S. Patent Application No. 10/693,059, filed October 23, 2003, which is a continuation-in-part of U.S. Patent Application No. 10/444,853, filed May 23, 2003, which is a

continuation-in-part of International Patent Application No. PCT/US03/05346, filed February 20, 2003, and a continuation-in-part of International Patent Application No. PCT/US03/05028, filed February 20, 2003, both of which claim the benefit of U.S. Provisional Application No. 60/358,580 filed February 20, 2002, U.S. Provisional Application No. 60/363,124 filed March 11, 2002, U.S. Provisional Application No. 60/386,782 filed June 6, 2002, U.S. Provisional Application No. 60/406,784 filed August 29, 2002, U.S. Provisional Application No. 60/408,378 filed September 5, 2002, U.S. Provisional Application No. 60/409,293 filed September 9, 2002, and U.S. Provisional Application No. 60/440,129 filed January 15, 2003. The instant application claims the benefit of all the listed applications, which are hereby incorporated by reference herein in their entireties, including the drawings.

Applicants have attached a preliminary amendment to the specification to add the priority claim. Applicants respectfully request entry of the addition of priority claim.

Respectfully submitted,  
McDonnell Boehnen Hulbert & Berghoff LLP

Date: March 30, 2004

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